

Remarks

All pending claims, i.e., claims 1, 3-6, 9-11, 13, 16-21, 23-27, 29-32, 35-37, 39, 42-47, 49-54, 56-59, 62-64, 66, 69-74 & 76-79 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Makower et al. (U.S. Patent Application Publication No.: US 2002/0184507 A1; hereinafter Makower), in view of Cuomo et al. (U.S. Patent Application Publication US 2002/0091757; hereinafter Cuomo). This rejection is respectfully, but most strenuously, traversed and reconsideration and withdrawal thereof are respectfully requested.

Applicants request reconsideration and withdrawal of the obviousness rejection on the following grounds: (1) the Office Action fails to state a *prima facie* case of obviousness; (2) the Office Action has misinterpreted the teachings of Makower, and the teachings of Cuomo, thus voiding the basis for the rejection; (3) the combination of the documents set forth in the final Office Action fails to suggest Applicants' invention; (4) the documents themselves lack any teaching, suggestion or incentive for their further modification as necessary to achieve Applicants' recited invention; and (5) the combination, to the extent characterized in the Office Action, is a hindsight reconstruction of the claimed invention using Applicants' own disclosed subject matter.

(1) & (2) *Office Action Fails to State a Prima Facie Case of Obviousness, and Misinterprets the teachings of Makower & Cuomo:*

To support a conclusion that a claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the Examiner must present a convincing line of reasoning why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp* 227 U.S.P.Q. 972, 973 (BPAI 1985); (MPEP §706.02(j)). In this case, the rejection to the claims is principally presented as a repetition of Applicants' claim language with specific paragraphs of Makower or Cuomo being cited. No further line of reasoning is presented by the Examiner as to why one or more aspects of Applicants' invention would have been obvious in light of the teachings of the references. Therefore, Applicants understand that the Office Action is alleging that the specifically cited paragraphs in Makower and Cuomo expressly or impliedly suggest their claimed invention. As explained further below, such a conclusion is believed clearly unsupported by the teachings and suggestions of Makower and Cuomo. For this reason, the Office Action fails to state a *prima facie* case of obviousness against Applicants' claimed

invention. By way of example, numerous aspects of Applicants' independent claims 1, 27, 53 & 54 are separately discussed below.

Applicants claim an authentication identity translation method which includes:

- establishing an authenticated user identity at an initial server responsive to an identification and authentication event within a domain comprising the initial server and at least one subsequent server, the identification and authentication event occurring at the initial server, the initial server and the at least one subsequent server each employing disparate user registries with different user identities, the disparate user registries being separately maintained by the server and being logically represented in a global registry maintained by a domain controller, the global registry including information that establishes a correspondence between the user identity in the initial server and a corresponding, local user identity within the at least one subsequent server;
- generating a translation token representative of the identification and authentication event and providing the translation token to the domain controller, *storing the translation token by the domain controller and obtaining a token reference from the domain controller, the token reference comprising an index to the stored translation token within the domain controller;*
- *forwarding the token reference from the initial server to the at least one subsequent server along with a request;*
- translating the authenticated user identity of the initial server to a local user identity of the at least one subsequent server, *wherein the at least one subsequent server initiates the translating employing the token reference received from the initial server;*
- the translating including *forwarding the token reference from the at least one subsequent server to the domain controller;*
- *employing the token reference at the domain controller to retrieve the translation token and translate the authenticated user identity of the initial server to the local user identity of the at least one subsequent server employing the global registry of the corresponding user identities maintained by the domain controller.*

Applicants respectfully submit that to the extent the Office Action addresses the above-scripted language of Applicants' recited invention, it misinterprets the teachings of Makower and Cuomo. Each scripted function of Applicants' facility is separately addressed below.

- (A) Generating a token representative of the identification and authentication event and providing the translation token to the domain controller, *storing the translation token by the domain controller and obtaining a token reference from the domain controller, the token reference comprising an index to the stored translation token within the domain controller.*

Without explanation, the Office Action simply provides a citation to paragraph [0033] of Makower as allegedly teaching this aspect of Applicants' recited invention. Paragraph [0033] of Makower states:

Having created a new session for the client user 42, the web server 20 sends a request to the central sign-on server 32 (step 418). In the preferred implementation the request is an encrypted HTTP request. The HTTP request to the central sign-on server 32 includes the challenge generated in step 204 of FIG. 2, a time-out value for the session (which in one implementation may be a set number of milliseconds, seconds, minutes or other time interval until the expiration of the session), and a parameter specifying that a new session has been created. The parameter specifying that a new session has been created on the web server 20 includes at least the log-in identification on the web server 20 of the client browser 42 for whom the new session has been created. Additionally, the HTTP request to the central sign-on server 32 will include a digital signature using the web browser's private key. In the preferred implementation, the digital signature will be for use with all information sent to the central sign-on server 32, including the challenge, the time-out value, and the parameter specifying that the new session has been created.

As taught by Makower, a request is sent from the web server 20 to the central sign-on server 32. This request includes a parameter specifying that a new session has been created for a client user 42. The parameter specifying the new session has been created on the web server 20 includes at least one login identification of the web server 20 of the client browser 42 for whom the new session has been created. Applicants respectfully submit that this teaching fails to suggest their recited functionality at issue.

For example, in addition to generating the translation token representative of the identification and authentication event occurring at the initial server, Applicants recite providing the translation token to the domain controller and storing the translation token at the domain controller. Paragraph [0033] of Makower fails to teach or suggest storage of such a translation token by the domain controller.

Further, a careful reading of Makower paragraph [0033] fails to suggest that *a token reference* is obtained from the domain controller *which is an index to the stored translation token at the domain controller*. The above-cited material from Makower is simply not relevant to this functionality of Applicants' invention. As such, Applicants respectfully submit that the Office Action fails to state a *prima facie* case of obviousness against the independent claims presented.

(B) *Forwarding the token reference from the initial server to the at least one subsequent server along with a request.*

The Office expressly notes that Makower does not teach forwarding of a token reference from the initial server to the at least one subsequent server along with a request, but then cites paragraph [0009] of Cuomo for such a teaching. This is believed to be a mischaracterization of the teachings of paragraph [0009] of Cuomo.

Cuomo paragraph [0009] teaches:

The present invention provides a method, apparatus and computer implemented instructions for handling requests in a network data processing system. The network data processing system includes a network and clients connected to the network. A first server is present in which the first server receives a request from a client to access a resource, performs an authentication process with the client, adds and/or modifies information in the request in which the information indicates that the request is from a trusted source to form a modified request, and sends the modified request for processing. This modified request is received by a second server. This second server determines whether the first server is a trusted server based on the information, and provides access to the resource in response to a determination that the first server is a trusted server, the trusted server has already authenticated the end user who made this request and the end user is authorized to the requested resource.

Cuomo is teaching a different environment than that recited in Applicants' invention. In Cuomo, there is a dependence on a trusted relationship being established between a chain of servers. There is no domain controller that provides a token reference after storing a translation token generated responsive to the identification and authentication event occurring at the initial server. To the extent relevant, Cuomo simply teaches the forwarding of a request from one server to another server. This patent does not teach or suggest the forwarding of a token reference (as the term is expressly defined in Applicants' independent claims) from an initial server to at least one subsequent server along with a request. Since the clear language of the paragraph does not teach

or imply Applicants' recited functionality, it is respectfully submitted that the Office Action fails to state a *prima facie* case of obviousness against the claims presented.

(C) *Wherein the at least one subsequent server initiates the translating employing the token reference received from the initial server.*

It appears that the Office Action at page 3, lines 17-20 is citing Makower paragraph [0030] for Applicants' recited functionality *wherein the at least one subsequent server initiates the translating employing the token reference received from the initial server.*

Makower paragraph [0030] states:

After receiving the information (step 210), the central sign-on server 32 attempts to recognize the client browser 42 (step 212). In one implementation, the central sign-on server's attempt to recognize the client browser 42 is via a cookie on the client browser 42. In this implementation, if no such cookie exists on the client browser 42, then the client browser 42 likely has not established a session on any of the servers of the federation (step 214).

Applicants respectfully submit that a careful reading of the above-noted citation of Makower fails to uncover any relevance to Applicants' recited functionality. In the cited paragraph of Makower, the central sign-on server is attempting to recognize the client browser by determining whether a cookie exists on the client browser. This determination is simply not relevant to Applicants' claimed invention. In Applicants' invention, the translating of the authenticated user identity from the initial server to the local user identity at the at least one subsequent server is initiated by the at least one subsequent server employing the token reference received from the initial server. Again, as outlined above, the token reference is received from the domain controller with storage of the translation token, and is an index to the stored translation token within the domain controller. Paragraph [0030] of Makower is simply not relevant to the claimed function.

For this additional reason, Applicants respectfully submit that the Office Action fails to state a *prima facie* case of obviousness against the claims presented.

- (D) *Forwarding the token reference from the at least one subsequent server to the domain controller.*

Again, to the extent that this function is addressed in the Office Action, paragraph [0030] of Makower is cited. However, as noted above, this paragraph clearly does not discuss a token reference as defined in the independent claims presented, nor is there a forwarding of such a token reference from at least one subsequent server to a domain controller. Paragraph [0030] of Makower is simply teaching that the central sign-on server attempts to recognize the client browser by determining whether the client browser has a pre-existing cookie. This teaching is not relevant to the recited functionality. As such, Applicants respectfully submit that the Office Action fails to state a *prima facie* case of obviousness against the claims presented.

- (E) *Employing the token reference at the domain controller to retrieve the translation token and translate the authenticated user identity of the initial server to the local user identity of the at least one subsequent server employing the global registry of the corresponding user identity maintained by the domain controller.*

The Office Action cites paragraphs [0035] & [0036] of Makower. These paragraphs of Makower teach that in one implementation, the central sign-on server 32 is able to map that client browser's user name for the web server 20, it is able to map the client browser's user name for each server within the federation of servers. Notwithstanding this teaching, Applicants respectfully submit that the particular functionality at issue is simply not taught or suggested by Makower in paragraphs [0035] & [0036]. There is no token reference as the term is defined in the claims, nor is there any use of a token reference in Makower that would allow retrieval of a translation token that is then used to translate the authenticated user identity of the initial server to the local user identity at the at least one subsequent server employing the global registry. Although Makower does discuss mapping a client browser's user name for each server within the federation of servers, this does not teach or suggest the particular translation mechanism recited by Applicants in the independent claims presented. As such, Applicants respectfully submit that the Office Action fails to state a *prima facie* case of obviousness against their claims.

(3), (4) & (5) *The Combination of Makower and Cuomo Fails to Disclose Applicants' Invention, and The Documents Themselves Lack Any Incentive for this Further Modification as Necessary to Achieve Applicants' Recited Invention:*

Without acquiescing to the combination proposed, Applicants respectfully submit that the resultant combination of Makower and Cuomo as set forth in the Office Action fails to disclose various aspects of their recited invention. For example, there is no teaching or suggestion in the combination of generating a translation token representative of the identification and authentication event, providing the translation token to the domain controller, *storing the translation token by the domain controller and obtaining a token reference from the domain controller, the token reference comprising an index to the stored translation token within the domain controller.* Further, there is no teaching or suggestion in the combination of *forwarding such a token reference from the initial server to the at least one subsequent server along with a request.* Still further, there is no teaching or suggestion in the combination of translating the authenticated user identity of the initial server to a local user identity of the at least one subsequent server, *wherein the at least one subsequent server initiates the translating employing the token reference received from the initial server.* Yet further, there is no teaching or suggestion in the combination that the translating includes *forwarding the token reference from the at least one subsequent server to the domain controller.* In addition, there is no teaching or suggestion in the combination of *employing the token reference at the domain controller to retrieve the translation token* and translate the authenticated user identity of the initial server to the local user identity of the at least one subsequent server employing the global registry of the corresponding user identities maintained by the domain controller.

Still further, upon a review of the applied patents, there is no teaching, suggestion or incentive for further modification of the combination as would be necessary to achieve Applicants' invention. Makower describes a central sign-on approach which is in contrast to the recited environment of Applicants' domain wherein user identity is authenticated at the initial server.

Yet further, the characterizations of the teachings of Makower and Cuomo stated in the Office Action provide no technical basis outside that contained in Applicants' own specification. The characterizations of these patents merely assert the language of Applicants' claimed invention in hindsight, and notwithstanding that the patents actually teach different processes. Thus, the rejection violates the well-known principle that Applicants' own disclosure cannot be used as a reference against them. The consistent criterion for the determination of obviousness is whether the art would have suggested to one of ordinary skill in the art that the claimed invention should be carried out and would have a reasonable likelihood of success, viewed in light of the prior art. The suggestion and the expectation of success must be found in the prior art, not in the Applicants' disclosure. In re Dow Chemical Company, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir, 1998) (multiple citations omitted). The alleged combination at issue is characterized in the language of Applicants' own disclosure, rather than an identified basis in the prior art for achieving the modifications necessary to arrive at Applicants' invention, in violation of this well-known principle. This is yet another, independent reason why the current invention is not obvious over the applied art.


In summary, Applicants traverse the rejection of the claims based on the lack of a *prima facie* case of obviousness; the misinterpretations of the teachings of Makower and Cuomo; the lack of an actual teaching or suggestion in Makower and Cuomo of their recited invention; the lack of any suggestion or incentive in the art for the modifications necessary to achieve their invention; and the use of Applicants' own disclosure as a basis for the alleged modifications.

For at least the above-noted reasons, Applicants respectfully submit that the pending claims patentably distinguish over the teachings of Makower and Cuomo. Reconsideration and withdrawal of the obviousness rejection based thereon is therefore respectfully requested.

All pending claims are believed to be in condition for allowance, and such action is respectfully requested.

If a telephone conference would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided.

Respectfully submitted,



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